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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARY B. LABRADOR, individually and on) Case No.: C-08-2270-SC
behalf of all others similarly situated,)

Plaintiff,

vs.

SEATTLE MORTGAGE COMPANY,

Defendant.

**PLAINTIFF'S NOTICE OF FILING OF
DECLARATIONS IN SUPPORT OF
REQUEST FOR APPROVAL OF FINAL
DISTRIBUTION OF CY PRES AWARD
AND PROPOSED ORDER THEREON**

[No hearing required]
Hon. Samuel Conti

1 Plaintiff submits the declarations of Class Counsel and the Settlement Administrator
 2 in accordance with the Court's Order Approving Supplemental Distribution and Allocation
 3 of Cy Pres Funds (ECF Doc. No. 136).

4 The Court granted final approval of the parties' settlement agreement on January 19,
 5 2011, and has since then been supervising the distribution of the Fund to the settlement class
 6 members. On August 31, 2011, the Court entered the above Order, which provides that:

7 If more than \$10,000 remains in residue upon completion of this
 8 supplemental distribution, Plaintiff and Rust Consulting shall file
 9 declarations apprising the Court of the current state of the Settlement Fund.
 10 If less than \$10,000 remains, this residue shall be distributed in equal
 shares to the National Consumer Law Center and Healthcare and Elder
 Law Programs Corporation as cy pres beneficiaries.

11 As set forth in the Declarations of Class Counsel Nance F. Becker and Settlement
 12 Administrator Kimberly Ness filed herewith, following the second distribution approved by
 13 the Court, there is a balance of \$ 32,555.44 in the Settlement Fund. Plaintiff, accordingly,
 14 renews her request that, based on their demonstrated commitment to advocating for the rights
 15 of senior citizen consumers, including but not limited to protection against financial abuses,
 16 NCLC and H.E.L.P. again be approved as the recipients of the *cy pres* funds in this matter,
 17 and the Court authorize the distribution of the funds to those organizations in equal shares
 18 forthwith.

19 Respectfully submitted,

20 Dated: April 3, 2012

CHAVEZ & GERTLER LLP

21 BONNETT, FAIRBOURN, FRIEDMAN
 22 & BALINT, PC

23 SCHNEIDER WALLACE COTTRELL
 24 BRAYTON KONECKY LLP

25
 26 By: /s/ Nance F. Becker
 Nance F. Becker

27 Attorneys for Plaintiff
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PROPOSED ORDER

Good cause appearing, IT IS SO ORDERED.

Date: April 5, 2012


Hon. Samuel Conti
United States District Court Judge